

**MINUTES OF THE REGULAR MEETING  
OF THE EDINA PLANNING COMMISSION  
WEDNESDAY, OCTOBER 29, 2003, 7:30 PM  
EDINA CITY HALL COUNCIL CHAMBERS  
4801 WEST 50<sup>TH</sup> STREET**

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**MEMBERS PRESENT:**

**Chairman Johnson, John Lonsbury, Helen McClelland, David Runyan and William Skallerud**

**MEMBERS ABSENT:**

**Ann Swenson, David Byron, Geof Worker and Stephen Brown**

**STAFF PRESENT:**

**Craig Larsen  
Jackie Hoogenakker**

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**I. APPROVAL OF THE MINUTES:**

The minutes of the August 27, 2003, meeting were filed as submitted.

**II. NEW BUSINESS:**

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<b>S-03-7</b>	<b>Preliminary Plat Approval Eric Lind/TC Builders, Inc. Griffit Street/Arthur Street</b>
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Mr. Larsen reminded the Commission the proponents were before them earlier this month seeking preliminary approval of a previously approved plat. At that time neighbors indicated they did not feel they received adequate notice of the planning commission meeting. Commissioner's felt to avoid conflict they tabled the meeting for one month requesting that the proponents re-notify neighbors of the planning commission meeting and to re-erect a subdivision sign (on Griffit Street) that had toppled over. Concluding, Mr. Larsen explained the plat presented this evening is the same plat that received commission and council approval in 2002. Staff supports the subdivision request subject: to parkland dedication and watershed district permits if needed.

The proponent Mr. Eric Lind along with interested neighbors was present.

Commissioner McClelland asked Mr. Larsen if he would point out to her the path proposed to “hook up” with the regional pathway system. With graphics Mr. Larsen indicated the proposed 10-foot path running parallel to Arthur Street connecting to the regional pathway system.

Mr. Eric Lind, proponent addressed the Commission and apologized to them for having to hear this subdivision request once again. Mr. Lind explained working with the neighbors and other events caused him to exceed the one-year time requirement for final plat.

Chairman Johnson asked Mr. Lind if there is anything different in this plat from the plat that received preliminary approval. Mr. Lind responded this plat is exactly the same plat that received preliminary approval from both the Planning Commission and City Council.

Commissioner Runyan asked Mr. Lind when grading of the site would begin. Mr. Lind said the majority of grading is proposed to be done in the Spring. Continuing, Mr. Lind explained it is his belief the site will be developed in two phases with the grading and utility prep being done on the Griffit Street lots first.

Commissioner Runyan asked if the proposed houses are going to be spec or custom. Mr. Lind said at this time he has a list of potential property owners who are excited about this location because their children attend or will attend the Blake School. Continuing, Mr. Lind added his intent is to construct one “spec model ” home for the Parade of Homes with the other four sites custom homes. Commissioner Runyan commented it appears some areas of the site will require fill. Mr. Lind responded that is correct and it is hoped there is enough material on this site to accomplish any fill needs.

Commissioner McClelland questioned if a site has been chosen for the “model home”. Mr. Lind said he believes at this time the model home will be constructed on the north most Griffit Street lot. Continuing, Mr. Lind pointed out this lot is the most challenging of the five and he wants to ensure that development and construction of the home on this lot is done to the highest standards.

Commissioner McClelland asked if the regional path will be screened. Mr. Lind said his intent is to retain as much vegetation as possible along that pathway system.

Commissioner McClelland referred to a letter from a Mr. Gene Villeneuve, 313 Griffit Street that indicated concern with drainage. She asked Mr. Larsen if drainage was looked at. Mr. Larsen responded the city engineering department reviews all plats for drainage and this plat is no exception to that rule.

Commissioner Skallerud asked Mr. Lind if he believes houses can be constructed on these lots without variances. Mr. Lind said he believes the lots are of adequate size eliminating the need for variances.

Chairman Johnson asked Mr. Larsen if the vacation of Spruce needs to be readdressed. Mr. Larsen explained the City Council hears requests for vacations and the vacation of Spruce was heard and approved over a year ago. At this time the vacation has not been filed. Filing a vacation is not done until after the plat is finalized.

Ms. Karen Lundholm, 309 Arthur Street said in her opinion since Mr. Lind did not file a final plat in one year's time this should be heard as a fresh request, starting from the beginning. Ms. Lundholm stated she takes this redevelopment proposal very seriously. With graphics Ms. Lundholm pointed out vegetation on the subject site that has been enjoyed by everyone in the area for many years. Ms. Lundholm said she believes this is one of the few "pristine" pieces of land left in Edina. Ms. Lundholm pointed out with graphics the large Oak and Maple trees found on this site. Ms. Lundholm told the Commission her family has lived in the area since the 1940's and have not considered redeveloping their property for monetary gain. She said she understands redevelopment will occur but wants assurances that the redevelopment of this land is accomplished with good planning.

Ms. Lundholm told the Commission she has some points she wants to make with regard to this proposal. They are as follows: She would like an easement allowing her property to connect to a sewer on Griffit Street. She explained her property currently has a septic system and is not connected to the city sanitary sewer system. She said because of topography it is possible her property will require a lift station, which is expensive, reiterating she wants the connection to the sewer accomplished off Griffit Street. Ms. Lundholm said another point is on what the Lundholms will do with their property in the future, they also own a number of lots (off Arthur) so do they sell their lots for redevelopment, sell their lots to Blake School or gift their lots to the City for open park space. Ms. Lundholm said she is also worried about grading and fill on the subject site and that her home will become isolated because their access is from the alley and they need a large turn around area for trucks that service their needs. She stated she would also like to see the proposed bike path moved from Arthur Street to Griffit Street. Ms. Lundholm referred to code language with regard to redevelopment and stated in her opinion the proposal is too dense and does not meet the "undue hardship" language contained in the code with regard to the requested lot width variances. She pointed out the lots on Griffit needed the vacation of Spruce Street to apply to width, which in a sense was a "gift". Concluding, Ms. Lundholm recapped things important to her, easement allowing sewer hookup, and adequate alley space, address drainage, no ditch, revise

draining plan and construct retaining wall, move bike path from Arthur Street to Griffit Street, and identify all trees that will be removed.

Commissioner McClelland said that while she understands concerns just expressed she said she thinks the word “gift” does not apply to the vacation of Spruce Road. She added as she understands it that strip of land running along the Blake School property line has always belonged to the property owners abutting it with the city retaining an “easement” over it to develop a road if the need were to arise. So in reality that strip of land does belong to the property owners that abut it, it is not city property, and the City has indicated they do not intend to use it. Ms. Lundholm acknowledged that is correct.

Commissioner Lonsbury asked Mr. Larsen if the engineering department reviewed this proposal for drainage. Mr. Larsen reiterated the engineering and building departments review all plats for grading, fill and drainage. He stated the engineering department and building department have reviewed the proposed grading plans. Mr. Larsen reiterated the same plat received preliminary approval with grading and drainage questions usually occurring at the final plat stage. In this instance this plat at its preliminary stages meets final plat requirements.

Commissioner Lonsbury commented on concerns raised by Ms. Lundholm with regard to sewer hookup and asked if this is an issue the commission needs to address. Mr. Larsen explained the easement requested by Ms. Lundholm is a private easement arrangement between her and the proponent. The city is not involved; those choices are private choices, not public. Commissioner McClelland questioned if Mr. Larsen is saying an easement for hookup to the city sewer is between Ms. Lundholm and Mr. Lind. Mr. Larsen responded that is correct.

Chairman Johnson asked Mr. Larsen if preliminary plat approval would include variances. Mr. Larsen responded preliminary plat approval includes the lot width variances.

Mr. Lind told the board the need for lot width variances was a result of equally dividing the lots on Griffit Street to 98 feet instead of the original lot sizes. Originally the Griffit lots contained two larger lots and one lot with a lot width of 55 feet. This reconfiguration resulted in a more uniform plat.

Commissioner Runyan commented that while the Commission hopes a proponent retains as many trees as possible the neighbors should be aware tree loss will occur. Commissioner Runyan said it is our hope the developer will minimize tree loss.

Commissioner McClelland moved to recommend accepting the plat (preliminary plat approval) to include lot width variances for three (3) lots with a lot width of 98 feet. This reconfiguration creates a better division and two feet is

not perceptible from the street and as noted in the Council Minutes smaller uniform lots do create a more uniform plat with houses more in scale with the neighborhood. Commissioner Lonsbury seconded the motion. Chairman Johnson said he wants the motion to reflect the commission didn't avoid the variance issue. Commissioner Skallerud thanked Ms. Lundholm for her insight adding he is persuaded by past action and his colleagues and can support the motion as recommended. All voted aye; motion carried.

Commissioner McClelland questioned if the city has a tree ordinance. Mr. Larsen said the city does not have a specific "tree ordinance". He noted at one time a tree ordinance was considered but it was found it would not be in the best interest of the city to adopt one. He pointed out the subdivision ordinance establishes certain criteria with regard to tree removal.

Mr. Andrew Berenberg, working with the proponent, Mr. Lind told the Commission he has worked closely with city staff to ensure proper development of this site with minimal disruption. With graphics Mr. Berenberg pointed out the grading and drainage issues present on this site. Continuing, Mr. Berenberg told the Commission the development team also worked side by side with the city with regard to the regional path hook up from Arthur Street, noting it is very important to the city that this pathway is constructed as depicted. Mr. Berenberg assured the Commission and neighbors tree loss will be kept to the minimum. The lots will be marketed, as "treed" so retaining trees is a very important feature. Concluding, Mr. Berenberg said the goal is to provide excellent building sites for custom homes.

Commissioner McClelland moved to recommend preliminary plat approval incorporating the variances subject to final plat approval, subdivision dedication for one new lot; developers agreement and watershed district permits. Commissioner Lonsbury seconded the motion. All voted aye; motion carried.

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**Z-03-8 &  
S-03-8**

**Preliminary Rezoning and Preliminary Plat  
Wallingford Partnership  
5101 West 70<sup>th</sup> Street**

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Mr. Larsen informed the Commission the property is currently developed with a 60 unit, three-story apartment building. On October 31, 2002, the southerly portion of the building was destroyed by fire and the owners have elected to raze the entire building and rebuild a four-story, 119 unit building. Mr. Larsen explained the current zoning is PRD-3, Planned Residence District and the proponents are requesting a change in zoning from PRD-3 to PRD-4,

Mr. Larsen concluded staff recommends preliminary rezoning and preliminary plat approval. The proposed zoning is appropriate for this site. The site is bounded on three sides by non-residential uses, and is close to a freeway interchange. Reusing the existing parking garage somewhat limits the number of stalls that can be added. Total parking on-site should adequately serve the building. The owners feel, based on their experience with the current building, that that number of spaces provided would meet the demand.

The proponents, Vasco and Tony Bernardi were present to respond to questions.

Commissioner McClelland questioned the parking shortages if the building is constructed as depicted. Mr. Larsen responded City Ordinance requires two parking spaces per unit, of which 1.25 must be enclosed or under building. In this instance the proponents are short of under building parking spaces but over on surface parking resulting in the need for a total parking space variance. Mr. Larsen said staff is relying on input from the property owners with regard to parking needs, and the proponents have indicated the amount of parking (under building and surface) they will have on this site after redevelopment will be sufficient.

Mr. Vasco Bernardi, 5346 Poplar Circle (residence), 7301 Ohms Lane (office), told the Commission in his experience the proposed parking will be adequate and the renovation of the site a plus for the City.

Commissioner Lonsbury asked for clarification from Mr. Larsen on the number of spaces the site would be short after redevelopment. Mr. Larsen said the site would be short a total of two (2) parking spaces.

Commissioner McClelland asked Mr. Larsen if the City has experienced any parking problems with our multi-residential sites such as Edinborough. Mr. Larsen said in his experience parking has not been a problem at our multi-residential sites including Edinborough. Commissioner McClelland said she has a concern with the underground parking ratio not being met. Commissioner Lonsbury said in this instance he is not overly concerned about the underground parking shortage and questioned why two more parking stalls couldn't be found somewhere on this site. He pointed out if two parking stalls were added no variance would be required. Mr. Larsen said to a degree that is correct but adding those two stalls would eliminate surface green space and wouldn't change the under building ratio where the shortage exists. Mr. Larsen explained the real problem is with the under building parking stalls and that fact can't really be eliminated since they are incorporating the existing under building parking garage with new construction.

Chairman Johnson said he would like to retain as much green space on a site as possible adding in this instance a Proof of Parking agreement may be

warranted. Commissioner McClelland agreed with Chairman Johnson's comment. Mr. Larsen responded since this request is in the preliminary stages the City can look into a Proof of Parking option and return to you with the outcome at final rezoning and final plat.

Chairman Johnson noted the plat line depicted on the preliminary plat and asked Mr. Larsen if that line creates a situation where each building can "stand alone". Mr. Larsen responded that is correct it has been designed to "stand alone".

Commissioner McClelland moved to recommend preliminary rezoning and preliminary plat approval subject to accepting the shortage of 2 parking spaces (parking variance) and to recommend that staff work with the proponents to create more greenspace on site through the development of a Proof of Parking Agreement. Commissioner Lonsbury seconded the motion. All voted aye; motion carried.

### **III. ADJOURNMENT:**

The meeting adjourned at 9:00 PM

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Jackie Hoogenakker